



Dated: November 17, 2023
The following is ORDERED:

M. Ruthie Hagan
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

In re)	
)	
HOLIDAY HAM HOLDINGS, LLC,)	Case No. 23-23313
)	Chapter 11
Debtor.)	
)	

STIPULATION AND AGREED ORDER REJECTING AND TERMINATING LEASE
WITH ERINWAY PARTNERS, L.P.

THIS MATTER came before this Court upon the stipulation and agreement among Holiday Ham Holdings, LLC, as Debtor-in-Possession (“Debtor”) and ErinWay Partners, L.P. (“Landlord”), owner and pre-petition lessor of certain non-residential real property occupied by affiliated Debtor Holiday Erin, LLC (“Erin”), located at 585 Erin Drive, Memphis, Tennessee 38119 (together with any tenancy and occupancy right, the “Lease”). The parties hereto agree that time is of the essence to permit Landlord to retain possession of the Lease premises. The Court, being advised in the premises, finds that approval of the agreement among the parties hereto as set

forth below is warranted, is in the best interest of the Debtor's bankruptcy estate, and should be approved.

IT IS THEREFORE ORDERED that the terms and conditions of the stipulation and agreement set forth below are approved and given full force and effect hereby.

IT IS FURTHER ORDERED that the Lease shall be deemed rejected as of November 1, 2023 pursuant to 11 U.S.C. § 365(a).

IT IS FURTHER ORDERED that, in accordance with the agreement by and between Landlord and Debtor, the Lease is terminated as of the date of the entry of this Order. Erin and/or Debtor agrees to immediately surrender possession of the Lease premises to Landlord the business day following the entry of this order. All issues as to personal property are reserved.

IT IS FURTHER ORDERED that, to the extent necessary to permit Landlord to retain possession of the Lease premises and remove Erin from the same, the automatic stay of 11 U.S.C. § 362 is hereby modified to allow Landlord to take any and all actions to obtain possession of the Lease premises.

IT IS SO ORDERED.

Approved and Submitted for Entry:

/s/ Toni Campbell Parker (w/ permission by LHW 33360)

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/s/ Craig M. Geno (w/ permission by LHW 33360)

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Chapter 5 Trustee

With Service To:

Debtor

Attorney for US Trustee

Subchapter V Trustee

Secured Creditors of Debtor

Twenty Largest Unsecured Creditors

All Creditors and Parties requesting Notice and on the Mailing Matrix